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10 UNITED STATES DISTRICT COURT
11 FOR THE EASTERN DISTRICT OF WASHINGTON
12

13 UNITED STATES OF AMERICA,)
14) 2:20-CR-0079-RMP-1
15 Plaintiff,)
16)
17 v.) SENTENCING MEMORANDUM
18)
19 CLINTON PAUL PATTERSON,)
20)
21 Defendant.)
22

23 Plaintiff, United States of America, by and through, Vanessa R. Waldref,
24 United States Attorney for the Eastern District of Washington, and Caitlin Baunsgard,
25 Assistant United States Attorney for the Eastern District of Washington, submits the
26 following Sentencing Memorandum.
27

28 **A. PRE-SENTENCE INVESTIGATION REPORT:**

The United States has reviewed the PSIR. The United States submits it is a
factually accurate summary of the facts in this case. The United States recommends
the Court adopt the PSIR without change.

1 **B.REMOVAL OF FED. R. CRIM. P. 11(C)(1)(C) NATURE OF PLEA**
2 **AGREEMENT.**

3 At the time of the Defendant's sentencing, it is anticipated he will qualify for
4 "safety valve" under the current criterial for such relief as articulated in the recent 9th
5 Circuit case (*United States v. Lopez*). The parties have the interview scheduled for
6 Monday, February 28, 2022.
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8 Given this important change in circumstance, the United States and Defendant
9 have agreed that the Court should sentence the Defendant without regard to the Fed.
10 R. Crim. P. 11(c)(1)(C) nature of the plea agreement. With the anticipated application
11 of the statutory "safety valve" pursuant to 18 U.S.C. § 3553(f), the United States and
12 the Defendant recommend a 2-level decrease of his Base Offense Level pursuant to
13 USSG §2D1.1(b)(18).
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16 **C. SENTENCING RECOMMENDATION:**

17 Based on the totality of the circumstances, and under the terms of the Plea
18 Agreement, the United States is recommending the Court impose a term of
19 incarceration of 48 months. The United States respectfully submits such a sentence
20 would be sufficient but not greater than necessary to accomplish the goals of
21 sentencing and achieve an appropriate balance of the 18 U.S.C. § 3553(a) factors.
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24 The Defendant has unquestionably been convicted of a very serious crime. The
25 Defendant was engaged in very significant drug trafficking – to include fentanyl-laced
26 pills, which is one of the biggest public safety issues to face the community. The
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1 effects of drug trafficking are massive, and in some respects, incalculable, especially
2 when all the collateral consequences are considered.

3 The damage the drugs this Defendant were peddling cause irreparable harm to
4 the community in general as well as to families whose loved ones are addicted to
5 controlled substances. Importantly, the damage is not limited to families who have
6 suffered a death. As aptly recorded by Sam Quinones in the book “Dreamland” about
7 the families of living drug addicts:
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10 I met with other parents whose children were still alive, but
11 who had shape-shifted into lying, thieving slaves to an unseen
12 molecule. These parents feared each night the call that their
13 child was dead in a McDonald’s bathroom. They went broke
14 paying for rehab, and collect calls from jail. They moved to
15 where no one knew their shame. They prayed that the child
16 they’d known would reemerge.

17 Sam Quinones, *Dreamland*, 9 (Bloomsbury Press 2015).

18 The Defendant’s conduct harmed families and the community. As the Fifth
19 Circuit noted, “[t]he drug seller, at every level of distribution, is at the root of the
20 pervasive cycle of drug abuse. Measured thus by the harm it inflicts upon the addict,
21 and through him, upon society as a whole, drug dealing in its present epidemic
22 proportions is a grave offense of high rank.” *Terrebonne v. Butler*, 820 F.2d 156, 157
23 (5th Cir. 1987), *cert. denied*, 484 U.S. 1020 (1989). While this opinion was authored
24 over 30 years ago, it continues to ring true today. Individuals who occupy every role
25 in an organization play an important role in the success of the endeavor. The
26 Defendant kept addicts in this community steadily supplied with these poisons.
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1 The Defendant chose to engage in this conduct just after he was released from
2 prison for a very serious offense. In other words, the Defendant chose to immediately
3 step right back into his criminal conduct – his criminal lifestyle that landed him in
4 prison for decades. The United States respectfully submits, based on the Defendant's
5 choice to continue with his criminal endeavors, the Court should choose to protect
6 society from this Defendant and sentence this Defendant accordingly.
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9 DATED this 25th day of February, 2022.

10 Vanessa R. Waldref
11 United States Attorney

12 *s/ Caitlin Baunsgard*
13 Caitlin Baunsgard
14 Assistant United States Attorney

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16 **CERTIFICATE OF SERVICE**

17 I hereby certify that on February 25, 2022, I electronically filed the foregoing
18 with the Clerk of the Court using the CM/ECF system which will send notification of
19 such filing to the following:
20

21 Andrea George
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23 *s/ Caitlin Baunsgard*
24 Caitlin Baunsgard
25 Assistant United States Attorney
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